

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

MAYA PARIZER, *et al.*,

PLAINTIFFS,

v.

AJP EDUCATIONAL FOUNDATION, INC.
a/k/a AMERICAN MUSLIMS FOR
PALESTINE, *et al.*,

DEFENDANTS.

CASE NO. 1:24-cv-00724-RDA-IDD

PRAECIPE WITH SUPPLEMENTAL AUTHORITY

Defendant AJP Educational Foundation, Inc. d/b/a American Muslims for Palestine (“AMP”) files this praecipe including supplemental authority issued on May 5, 2025, dismissing claims against AMP under the Anti-Terrorism Act (“ATA”). *Gerwaski v. State of Nevada, et al.*, 2025 U.S. Dist. Lexis 84645 (D. Nev. May 5, 2025), attached as Ex. A hereto.

Plaintiffs in this case plead the same cause of action against AMP under Count I of this case. The plaintiffs’ factual allegations in the two cases also dovetail with each other. Judge Gordon in *Gerwaski* quotes plaintiff in that case alleging that AMP (as well as National Students for Justice in Palestine (“NSJP”)) operates a “propaganda machine for Hamas” with that plaintiff citing “27 pages of extensive facts creating a direct nexus” between Hamas and AMP. Ex. A at 3, 10. *See* First Amended Complaint in this case, Dkt. 24, at pp. 3, 4, 7, 8, 9, 12, 13 (some of the dozens of references to AMP and propaganda).

The Gerwaski Court, citing *Twitter, Inc., v Taamneh*, 598 U.S. 471 (2023), held that liability requires that “defendant consciously and culpably participated in a wrongful act so as to help make it succeed.” *Id.* at 9. Despite its extensive factual allegations, plaintiff did not allege “any actions by the [AMP] that substantially assisted the October 7, 2023 act of international terrorism,” and the Court dismissed the ATA claim.

In addition, the *Gerwaski* Court relied on First Amendment protections, citing *Snyder v. Phelps*, 562 U.S. 443 (2011), *NAACP v Claiborne Hardware Co.*, 458 U.S. 886 (1982), and *Brandenburg v. Ohio*, 395 U.S. 444, 447 (1969). Under the First Amendment, allegations that AMP provided support to terrorists (*id.* at 14), was “globalizing the intifada” (*id.* at 17) and made statements such as “We Will Take Back Palestine” (*id.* at 18) all constitute protected speech. The Court carefully distinguished between AMP and NSJP but concluded that NSJP’s “Day of Resistance Toolkit” and statements that it was part of the “Unity Intifada” -- allegations rehashed repeatedly in this case -- warranted protection as free speech under the First Amendment. *See* Opinion at Ex. A, at 3, 15; *see also* First Amended Complaint in this case, Dkt 24, at pp. 3, 33-36, and Exhibit A thereto (dozens of references to the same “Toolkit”), and at 3, 34-35, 48 (multiple references to “Unity Intifada.”). Although the *Gerwaski* plaintiff alleged substantial connections between defendants and their rhetoric and Hamas’ support of the defendants’ activities, the *Gerwaski* court found the extensive allegations did not “plausibly show that AMP provided personnel or services to Hamas rather than independent advocacy.” *Id.* at 15.

AMP undisputedly advocates in the United States for Palestinian rights. But as Judge Gordon held in *Gerwaski*, that advocacy does not plausibly show that AMP assisted in the October 7, 2023 attacks or consciously participated in those acts as required under the ATA. That conclusion is common sense; a U.S. non-profit, operating in the United States with no personnel

overseas, cannot reasonably be presumed to have substantially assisted in the surprise attack in Israel on October 7, 2023.

DATED: May 12, 2025.

Respectfully Submitted,

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** The Constitutional Law Center for Muslims
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CERTIFICATE OF SERVICE

I certify that on May 12, 2025, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notice of electronic filing to all counsel of record.

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